

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

J.B., on behalf of her minor child, K.E.,

Plaintiff,

vs.

**Case No. 1:21-cv-632 MV/SCY
(consolidated with Civ. No.
21-1032 MV/SCY)**

**COACH DANNY CHARLEY, in his
Individual capacity,**

Defendant.

ORDER

THIS MATTER comes before the Court on the Unopposed Motion to Substitute K.E. as Plaintiff, Amend Caption, Waive Rule 16 Scheduling Conference, and Allow Discovery to Proceed in Accordance with this Court's Order [Doc. 35]. The Court, having reviewed the Motion, finds that it is well-taken and should be granted.

IT IS THEREFORE ORDERED that:

1. The cases, *J.B., on behalf of her minor child, K.E. v. Coach Danny Charley*, case no. 1:21-cv-632 MV/SCY, and *K.E. by and through her mother, J.B. v. The Board of Education of the Rio Rancho Public Schools*, case no. 1:21-cv-01032 MV/SCY are **CONSOLIDATED** as 1:21-cv-632 MV/SCY.
2. K.E. is substituted as Plaintiff for J.B.
3. The caption shall be amended as:

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

K.E.,

Plaintiff,

vs.

Case No. 1:21-cv-632 MV/SCY

COACH DANNY CHARLEY, in his
Individual capacity, and THE BOARD
OF EDUCATION OF THE RIO RANCHO
PUBLIC SCHOOLS,

Defendants.

4. Further, discovery may proceed as to all witnesses and all other parties except discovery addressed to Defendant Charley including the taking of his deposition and issuance of any written discovery to him (*e.g.* requests for admission, inspection, or production, and interrogatories) until such time as the Court determines whether a guardian ad litem should be appointed for Defendant Charley and the Court determines whether a limited stay of discovery should be entered as requested by Defendant Charley. *See* Court's Order [Doc. 35].
5. The Rule 16 Scheduling Conference will be waived in lieu of a status conference to determine a viable date for a settlement conference.
6. As a result of this Order, Plaintiff's Motion for Appointment of J.B. as Next Friend and to Amend the Case Caption, filed as Doc. 7 in Case No. 21-cv-1032 MV/SCY is **FOUND AS MOOT**.



MARTHA VÁZQUEZ
UNITED STATES DISTRICT JUDGE